REMARKS/ARGUMENTS

This Amendment is submitted in response to the Office Action mailed March 30, 2009.

Claims 1-27 are rejected and 28-64 are withdrawn. In this Amendment, claims 1, 15, and 27 has

been amended. No claims have been added or canceled. It is respectfully submitted that the

amendment does not add new matter. Applicants reserve all rights with respect to the

applicability of the Doctrine of Equivalents. Applicants respectfully request consideration of the

subject application as amended herein.

Claim Rejections Under 35 U.S.C. § 103

The Examiner rejects claims 1-6, 8-12, 15-18, 20-24, and 26-27 under 35 U.S.C. § 103(a)

as being unpatentable over Chan, et al (U.S. Publication No. 2003/0113027, hereinafter "Chan")

in view of Sirohey, et al (U.S. Patent No. 7,236,637, hereinafter "Sirohey").

Chan describes a system and method for processing JPEG2000 images. For an image of

an original resolution, the image can be parsed and layers extracted to obtain the image at a

lower resolution (Chan, paragraph 0137). Chan reads the header data for a codestream at the

original resolution to determine the size of the image, number of layers, and number of DWT

levels (Chan, paragraph 0137; Figure 6A, elements 605 and 610). The data from the header is

utilized by Chan to rewrite the codestream for the original image into a new codestream

corresponding to a lower resolution and target bit rate (Chan, paragraph 0137; Figure 6A,

element 620).

Sirohey describes a client and server where the client may receive increasing resolutions

of the same image (Sirohey, Figure 21). The client requests an image for display in a viewport

of the client, and receives an image header and one or more levels of image data (Sirohey,

column 22, lines 19-26). When the client subsequently desires a higher resolution version of the image, the client reads the header to determine what levels are needed to construct the higher resolution version, and requests those level (Sirohey, colun 22, lines 29-41).

Amended claim 1 recites:

> A method comprising:
> accessing header information from a multi-resolution codestream of compressed data of a first image;
> <u>deriving one or more retrieval attributes solely from a bit distribution extracted from the header information; and</u>
> <u>performing image analysis between the first image and a second image solely based on the one or more retrieval attributes from the bit distribution extracted from header information,</u> wherein the one or more retrieval attributes are non-image data that describe visual attributes of the first image.

(Emphasis Added)

Applicants respectfully submit that Chan and Sirohey, taken alone or in combination, fail to describe or suggest "deriving one or more retrieval attributes solely from a bit distribution extracted from the header information; and performing image analysis between the first image and a second image solely based on the one or more retrieval attributes from the bit distribution extracted from header information," as claimed.

As discussed above, Chan describes utilizing data from an image header to rewrite a codestream for an original image into a new codestream corresponding to a lower resolution at a target bit rate (Chan, paragraph 0137; Figure 6A, element 620). With respect to deriving retrieval attributes, the Examiner cites Chan at paragraph 0137 (Office Action, mailed 3/30/2009, pages 2). However, in that passage, Chan states that in order to rewrite the codestream to a new resolution and bit rate:

> In Step 610, the codestream header is read where relevant information such as (i) image size, (ii) number of DWT levels, (iii) codeblock size, (iv) precinct size and (v) number of layers present, is extracted. The information is **necessary** for

decoding packet headers and also for determining the number of codeblocks and precincts present in each resolution level.

(Chan, paragraph 0137, lines 14-20 [Emphasis Added])

Although Chan notes that information size, DWT levels, codeblock size, precinct size, and layers are utilized for rewriting a codestream, Chan fails to describe deriving retrieval attributes "solely from a bit distribution extracted from the header information" of an image. Furthermore, Chan states that the five items are "necessary" for rewriting a codestream, and therefore cannot describe deriving retrieval attributes "solely from a bit distribution extracted from the header information." Therefore, Chan fails to describe or suggest "deriving one or more retrieval attributes solely from a bit distribution extracted from the header information; and performing image analysis between the first image and a second image solely based on the one or more retrieval attributes from the bit distribution extracted from header information."

Sirohey describes a client that requests different resolutions of an image that is divided into resolution layers (Sirohey, column 22, lines 29-41). In order to make successive image requests for different resolution layers, Sirohey notes that "system 400 may obtain the resolution characteristics of the image levels 410 through 416 by reading the header 408 in an initial or subsequent retrieval of image data from the server 402" (Sirohey, column 22, lines 38-41). Although Sirohey briefly describes reading an image header, Sirohey is silent as to deriving retrieval attributes from "solely from a bit distribution extracted from the header information" or performing image analysis based on these derived retrieval attributes.

Therefore, a combination of Chan and Sirohey, taken alone or in combination, fails to describes or suggest "deriving one or more retrieval attributes solely from a bit distribution extracted from the header information; and performing image analysis between the first image

and a second image solely based on the one or more retrieval attributes from the bit distribution extracted from header information."

Accordingly, Applicants submit that Chan and Sirohey, alone or in combination, fail to describe or suggest each and every element of the Applicants' invention, as claimed in claim 1. Furthermore, independent claims 15 and 27 contain similar features and limitations to those discussed with respect to claim 1, and are similarly not rendered obvious by Chan and Sirohey for at least the reasons discussed above. The remaining claims depend from one of claims 1 and 15, and add additional features and limitations. Therefore, Applicant respectfully submits, in light of the arguments advanced above, claims 1-27 are in condition for allowance and such action is earnestly solicited.

Applicants respectfully request withdrawal of the rejection of claims 1-6, 8-12, 15-18, 20-24, and 26-27 under 35 U.S.C. § 103(a) as being unpatentable over Chan in view of Sirohey.

The Examiner rejects claims 13-14 and 25 under 35 U.S.C. § 103(a) as being unpatentable over Chan in view of Sirohey and further in view of Sekiguchi, et al (U.S. Publication No. 2001/0004739, hereinafter "Sekiguchi"). As discussed above, with respect to independent claims 1 and 15, Chan and Sirohey fail to describe or suggest each and every feature as claimed. Sekiguchi describes extracting text information from a document for non-visual aspects of an image (e.g., meta data related to an author, date, time, title, and locator as illustrated in Figure 4). Sekiguchi, however, is silent as to deriving retrieval attributes "solely from a bit distribution extracted from the header information" and performing analysis based on the derived retrieval attributes. Thus, Sekiguchi fails to remedy the shortcomings of claims 1 and 15 discussed above. Therefore, Applicants submit that a combination of Chan, Sirohey, and Sekiguchi fails to render claims 1 and 15, and thus claims 13, 14, and 25 that depend therefrom,

obvious. Applicants respectfully request withdrawal of the rejection of claims 13-14 and 25 under 35 U.S.C. § 103(a) as being unpatentable over Chan in view of Sirohey and further in view of Sekiguchi

The Examiner rejects claims 7 and 9 under 35 U.S.C. § 103(a) as being unpatentable over Chan in view of Sirohey, further in view of Sekiguchi, and further in view of Amirghodsi (U.S. Publication No. 2006/0077408, hereinafter "Amirghodsi"). As discussed above, with respect to independent claim 1, Chan, Sirohey, and Sekiguchi fail to describe or suggest each and every feature as claimed. Amirghodsi describes a content based image retrieval system that utilizes color feature vectors (Amirghodsi, paragraph 0009). Amirghodsi, however, is silent as to deriving retrieval attributes "solely from a bit distribution extracted from the header information" and performing analysis based on the derived retrieval attributes. Thus, Amirghodsi fails to remedy the shortcomings of claim 1 discussed above. Therefore, Applicants submit that a combination of Chan, Sirohey, Sekiguchi, and Amirghodsi fails to render claim 1, and thus claims 7 and 9 that depend therefrom, obvious.

Conclusion

Applicant respectfully submits that in view of the amendments and discussion set forth herein, the applicable rejections have been overcome. Accordingly, the present and amended claims should be found to be in condition for allowance.

If a telephone interview would expedite the prosecution of this application, the Examiner is invited to contact the undersigned at (408) 720-8300.

If there are any additional charges/credits, please charge/credit our deposit account no. 02-2666.

Respectfully submitted,

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